United Nations Convention on the Law of the Sea SPLOS/55

Meeting of States Parties

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Meeting of States Parties
Tenth Meeting
New York, 22-26 May 2000

Credentials of representatives to the Tenth Meeting of States Parties to the United Nations Convention on the Law of the Sea

Report of the Credentials Committee

Chairman: Mr. Julio **Lamarthée** (Uruguay)

1. At its 48th meeting, on 23 May 2000, the Tenth Meeting of States Parties to the United Nations Convention on the Law of the Sea appointed a Credentials Committee consisting of the following nine members: China, Guatemala, Indonesia, Malta, Nigeria, Portugal, Slovakia, South Africa and Uruguay.

2. The Credentials Committee held its meeting on 25 May 2000.

3. Mr. Julio Lamarthée (Uruguay) was elected Chairman of the Committee.

4. The Committee had before it a memorandum by the Secretariat, dated 24 May 2000, on the status of credentials of representatives participating in the Tenth Meeting of States Parties to the United Nations Convention on the Law of the Sea.

5. As noted in paragraph 1 of the memorandum of the Secretariat, as orally amended during the meeting, formal credentials by the head of State or Government or by the Minister for Foreign Affairs or by a person authorized by either of them had been received by the Secretariat for the representatives of the following 55 States participating in the Tenth Meeting of States Parties: Australia, Bahrain, Belize, Bulgaria, Cameroon, Chile, China, Costa Rica, Croatia, Cyprus, Czech Republic, Fiji, Finland, Georgia, Germany, Guatemala, Iceland, India, Jamaica, Japan, Kuwait, Lebanon, Malaysia, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Norway, Pakistan, Panama, Papua New Guinea, Paraguay, Poland, Portugal, Republic of Korea, Romania, Russian Federation, Saudi Arabia, Slovakia, Slovenia, South Africa, Suriname, Sweden, the former Yugoslav Republic of Macedonia, Tonga, Trinidad and Tobago, United Kingdom of Great Britain and Northern Ireland and Viet Nam.

6. As noted in paragraph 2 of the memorandum of the Secretariat, the formal credentials issued by the President of the European Commission had also been submitted for the representatives of the European Community.

7. As noted in paragraph 3 of the memorandum of the Secretariat, as orally amended during the meeting, information concerning the appointment of representatives participating in the Tenth Meeting of States Parties had been communicated by means of facsimile or in the form of letters or notes verbales from ministries, permanent missions to the United Nations or other government offices or authorities by

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the following 30 States participating in the Tenth Meeting of States Parties: Algeria, Argentina, Bolivia, Bosnia and Herzegovina, Brazil, Cape Verde, Cuba, Djibouti, France, Gambia, Ghana, Greece, Honduras, Indonesia, Iraq, Ireland, Italy, Jordan, Malta, Nigeria, Samoa, Senegal, Sierra Leone, Singapore, Solomon Islands, Spain, Togo, Tunisia, Ukraine, and Uruguay.

8. The Chairman proposed that the Committee accept the credentials of all representatives mentioned in the memorandum of the Secretariat, supplemented by the additional information provided by the Secretariat during the meeting of the Credentials Committee, on the understanding that formal credentials of representatives referred to in paragraph 3 of the Secretariat's memorandum would be communicated to the Secretariat as soon as possible. The following draft resolution was proposed by the Chairman for adoption by the Committee:

> "*The Credentials Committee,*
>
> "*Having examined* the credentials of the representatives to the Tenth Meeting of States Parties to the United Nations Convention on the Law of the Sea referred to in paragraphs 1 to 3 of the memorandum of the Secretariat dated 24 May 2000, supplemented by the additional information provided by the Secretariat during the meeting of the Credentials Committee,
>
> "*Accepts* the credentials of the representatives concerned."

9. The draft resolution was adopted by the Committee without a vote.

10. Subsequently, the Chairman proposed that the Committee recommend to the Meeting of States Parties the adoption of the following draft resolution:

> "*Credentials of representatives to the Tenth Meeting of States Parties to the United Nations Convention on the Law of the Sea*
>
> "*The Tenth Meeting of States to the United Nations Convention on the Law of the Sea*
>
> "*Approves* the report of the Credentials Committee."

11. In the light of the foregoing, the present report is submitted to the Tenth Meeting of States Parties.

Recommendation of the Credentials Committee

12. The Credentials Committee recommends to the Tenth Meeting of States Parties the adoption of the following draft resolution:

> "*Credentials of representatives of the Tenth Meeting of States Parties to the United Nations Convention on the Law of the Sea*
>
> "*The Tenth Meeting of the States Parties to the United Nations Convention on the Law of the Sea*
>
> "*Approves* the report of the Credentials Committee."

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Decisions on budgetary matters of the International Tribunal for the Law of the Sea for 2001

1. The Meeting of States Parties approves the budget of the International Tribunal for the Law of the Sea for 2001, amounting to US$ 8,090,900, as set out in annex I to the present document, together with the staffing table for the Registry of the Tribunal in 2001, as contained in annexes II and III. In approving the above-mentioned amount, the Meeting agrees that the completion of the integrated computer network in the new premises of the Tribunal will be undertaken over a two-year period and that the budgetary implications for the deferred activity in this regard will be considered in relation to the budget of the Tribunal for 2002. The Meeting also agrees that while the request of the Tribunal for two posts at the General Service level for 2001 was not approved, the Tribunal would use temporary assistance for the time being, as necessary, and, as appropriate, will submit a request in the proposed budget for 2002 in the light of this year's experience. The Meeting takes note of the fact that most of the budgetary increase in 2001 over the level of 2000 is attributable to the costs associated with the maintenance, operation and security of the new premises as well as the anticipated level of judicial work.

2. With a view to providing the Tribunal with the necessary financial means to consider cases in 2001, in particular those requiring expeditious proceedings, the Meeting further approves an amount of US$ 863,900 in 2001 as contingency funds of the Tribunal. The contingency funds shall only be used in the event of cases being submitted to the Tribunal.

3. The Meeting recalls that the Eighth Meeting of States Parties approved the establishment of a Working Capital Fund for the Tribunal and that it provided on an exceptional basis for up to US$ 200,000, to be credited to the Fund from savings, if any, from the 1999 appropriations. The Ninth Meeting of States Parties approved an additional amount of US$ 50,000 for advances to the Working Capital Fund of the Tribunal in 2000. The Ninth Meeting further decided that, on an exceptional basis, savings from appropriations in the budget for 2000, up to a maximum of US$ 200,000, would also be credited to the Fund. The Meeting approves an additional amount of US$ 50,000 for advances to the Working Capital Fund of the Tribunal in 2001. Moreover, the Meeting decides that, on an exceptional basis,

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savings from appropriations in the budget for 2001, up to a maximum of US$ 200,000, will also be credited to the Fund.

4. Without prejudice to the application of the provisions of article 19 of annex VI to the United Nations Convention on the Law of the Sea in respect of future budgets of the Tribunal regarding the contribution to be made by the International Seabed Authority, the budget of the Tribunal in 2001 including its contingency funds in 2001 and the additional advances to its Working Capital Fund in 2001 amounting to US$ 50,000, will be financed by all States and international organizations that are Parties to the Convention.

5. The contributions to be made by States Parties shall be based upon the scale of assessments for the regular budget of the United Nations for the preceding financial year, adjusted to take account of participation in the Convention. The Meeting of States Parties decided that a floor rate of 0.01 per cent and a ceiling rate of 25.00 per cent will be used in establishing the rate of assessment for States Parties for the budget of the Tribunal for 2001.

Annex I

Administrative expenses of the Tribunal covering the period from 1 January to 31 December 2001

(United States dollars)

	Objects of expenditure	Approved budget for 1998	Performance 1998	Approved budget for 1999	Preliminary performance 1999	Approved budget for 2000	Proposed budget 2001	Ftn
1	**RECURRENT EXPENDITURE**							
2	Remuneration of Judges							
3	Annual allowances	1 971 330	1 789 151	1 175 090	1 135 325	1 295 107	1 295 100	A
4	Special allowances			1 173 000	1 082 590	311 717	329 500	A
5	Travel of Judges to meetings	250 000	141 652	240 000	221 721	240 000	120 000	B
6	Judges' pension scheme			29 167	3 837	16 666	15 400	C
7	Judges ad hoc and experts (including travel)						0	
8	Established posts	1 794 688	1 579 331	2 197 700	2 125 018	2 413 725	2 523 900	D
9	Common staff costs	624 551	442 141	734 030	641 135	806 184	841 300	E
10	General temporary assistance	87 000	84 163	120 000	116 469	120 000	120 000	F
11	Overtime	20 000	20 000	45 330	45 330	45 330	50 300	
12	Representation allowance	7 000	7 000	7 600	7 600	7 600	7 600	F
13	Official travel	82 000	80 475	82 000	81 800	90 200	94 700	
14	Communications	137 000	87 015	151 000	120 586	151 000	146 000	
15	Supplies and materials	50 600	29 425	70 000	35 461	85 000	85 000	F
16	External printing and binding	40 000	37 228	46 000	44 464	50 600	64 600	
17	Temporary assistance for meetings	149 600	149 766	307 000	303 267	129 091	129 100	F
18	Maintenance of premises	140 000	110 099	125 000	120 132	350 000	525 000	G
19	Rental and maintenance of equipment	141 400	117 697	141 400	140 468	240 000	207 000	
20	Hospitality	3 000	2 491	6 500	4 534	7 100	7 100	F
21	Special services (external audit)	3 000	15 000	13 000	13 000	15 400	15 400	F
22	Library: procurement of books and publications	60 000	58 753	60 000	59 834	60 000	60 000	F
23	Start-up costs of library	60 000	59 919	60 000	58 999	60 000	60 000	F
24	Miscellaneous services and charges (including bank charges)	6 000	12 080	50 000	31 797	25 000	25 000	F
25	Training					15 400	30 000	
26	Security (contractual services)					137 135	150 000	
27							0	
28	**NON-RECURRENT EXPENDITURE**						0	
29							0	
30	Hospitality (premises related)					8 400	0	

31	Furniture and equipment						0	
32	1. Purchase of equipment	90 000	85 804	125 000	124 488	230 000	248 000	
33	2. Purchase of special equipment	50 000	50 718	25 000	19 861	17 000	27 000	
34							0	
35	**CONTINGENCY FUND**					679 364	863 900	B
36							0	
37	**WORKING CAPITAL FUND**				200 000 H/	50 000	50 000	I
38							0	
39	**TOTAL**	5 767 169	4 959 906	6 983 817	6 737 714	7 657 019	8 090 900	

A/ See annex V of SPLOS/WP.12.
B/ $120,000 for case-related travel proposed under Contingency Fund.
C/ Based on current level of payment for one Judge.
D/ See annexes II and III.
E/ Common staff costs are computed at 33.33 per cent of established post costs (as per United Nations standard salary costs).
F/ Same figures as the approved budget 2000.
G/ Expenses in second year of occupation are bound to be higher (approximately 50 per cent) than in the first year, as the building will be used only for a part of the year 2000.
H/ The Eighth Meeting of the States Parties (SPLOS/L.9, para. 2) approved the establishment of a Working Capital Fund for the Tribunal in 1998. It provided on an exceptional basis for up to $200,000 to be transferred to the Working Capital Fund.
I/ Same figure as approved for the budget 2000; in case of savings it is proposed, as in previous years, to transfer savings of up to $200,000 to the Working Capital Fund to bring it up to an operational level.

Annex II

Professional staff of the Registry of the Tribunal in 2001

Level	Function	Number of posts	Standard costs (United States dollars)
ASG	Registrar	1	152 942
D-2	Deputy Registrar	1	143 021
P-5	Head of Administration and Management	1	108 857
P-5	Head of Conference and Linguistic Services	1	108 857
P-4	Librarian	1	105 019
P-4	Head of Budget and Finance	1	105 019
P-4	Translator/Reviser	1	105 019
P-4	Legal Officer	1	105 019
P-4	Legal Officer*	1	56 100
P-3	Legal Officer/Information	1	75 910
P-3	Systems Administrator/Database Manager	1	75 910
P-2	Contributions Officer/Budget	1	73 663
P-2	Associate Legal Officer/Research	1	73 663
P-2	Administrative Officer (Support/Building Management)	1	73 663
	Total (rounded)	14	1 362 700

* New post.

Annex III

General Service staff of the Registry of the Tribunal in 2001

Level	Function	Number of posts	Standard costs (United States dollars)
Principal level			
	Administrative Assistant (Contributions and Accounts)	1	65 052
	Computer Systems Assistant	1	65 052
	Personal Assistant to the President	1	65 052
	Personal Assistant to the Registrar	1	65 052
	Administrative Assistant (General Administration)	1	65 052
	Administrative/Building Coordinator	1	65 052
Other level			
	Personnel Assistant	1	51 386
	Finance Assistant (Accounts Payable/Payroll)	1	51 386
	Senior Security Officer	1	51 386
	Information/Documentation Assistant	1	51 386
	Conference Services Assistant	1	51 386
	Secretary to Deputy Registrar	1	51 386
	Judiciary Support (Conference Typing Assistant)	2	102 773
	Pension/Tax/Social Security/Distribution Assistant	1	51 386
	Linguistic/Conference Secretary	2	102 773
	Security Officer/Driver	1	51 386
	Library/Documents Assistant	1	51 386
	Caretaker/Building Superintendent	1	51 386
	Receptionist	1	51 386
Total (rounded)		21	1 161 130

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Decision regarding the establishment of a trust fund for assisting States in proceedings before the International Tribunal for the Law of the Sea

The Tenth Meeting of States Parties to the United Nations Convention on the Law of the Sea decides to recommend to the General Assembly of the United Nations that the Assembly consider, at its fifty-fifth session, under the agenda item entitled "Oceans and the law of the sea", the establishment of a trust fund, to be financed through voluntary contributions, for the purpose of providing financial assistance to States in order to help them in proceedings before the International Tribunal for the Law of the Sea.

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New York, 22-26 May 2000

Decision regarding the establishment of a voluntary trust fund for the purpose of the Commission on the Limits of the Continental Shelf

The Tenth Meeting of States Parties to the United Nations Convention on the Law of the Sea decides to recommend to the General Assembly of the United Nations establishment of a voluntary trust fund for the purpose of meeting the costs of participation (travel expenses and daily subsistence allowance) of the members of the Commission on the Limits of the Continental Shelf from developing countries in the meetings of the Commission.

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Meeting of States Parties

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Decision regarding the establishment of a voluntary trust fund or funds for the purpose of facilitating compliance under article 76 of the United Nations Convention on the Law of the Sea

Noting the concerns of some States regarding their compliance as a matter of urgency under article 76 of the United Nations Convention on the Law of the Sea and the need for dissemination of information and for training of personnel of developing countries with respect to their compliance under article 76 of the Convention, the Tenth Meeting of States Parties to the United Nations Convention on the Law of the Sea decides to recommend to the General Assembly of the United Nations that the Assembly consider, at its fifty-fifth session, under the agenda item entitled "Oceans and the law of the sea", the establishment of a voluntary fund or funds, for the purposes of: (a) providing assistance to States Parties to meet their obligations under article 76 of the Convention; and (b) providing training to developing countries, in particular the least developed among them and small island developing States, for preparing their submission to the Commission with respect to the limits of their continental shelf beyond 200 nautical miles, as appropriate.

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